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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DJONIBEK RAHMANKULOV,

Defendant.

20-cr-653 (RA)

ORDER


RONNIE ABRAMS, United States District Judge:

After Defendant Rahmankulov's counsel, Joseph Murray, filed a notice of appeal to the Second Circuit, *see* Dkt. 239, Rahmankulov filed a *pro se* motion for bail pending appeal, *see* Dkt. 243. "Although the filing of a notice of appeal usually divest[s] the district court of further jurisdiction, the initial determination of whether a convicted defendant is to be released pending appeal is to be made by the district court." *United States v. Meyers*, 95 F.3d 1475, 1488–89 n.6 (10th Cir. 1996); *see also United States v. Hochevar*, 214 F.3d 342, 343 (2d Cir. 2000) (observing that "it is generally more appropriate that the motion [for bail pending appeal] be made initially in the district court," and finding, in a case where the defendant's "notice of appeal to the [Second Circuit] was filed" but the "briefs on the merits have not been filed," that a motion for bail pending appeal could be appropriately made to the district court).

Accordingly, no later than April 30, 2023, the government shall file a response to the motion by letter.

SO ORDERED.

Dated: April 19, 2023  
New York, New York

  
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Hon. Ronnie Abrams  
United States District Judge